

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

DEC 23 2016

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF ARKANSAS
LITTLE ROCK DIVISION

JAMES W. MCCORMACK, CLERK
By: [Signature]
DEP CLERK

DAVID A. STEBBINS

PLAINTIFF

VS.

CASE NO. 4:16CV00545-JM

STATE OF ARKANSAS, ARKANSAS
REHABILITATION SERVICES, AND AMY JONES

DEFENDANTS

STATEMENT OF FACTS IN SUPPORT OF
MOTION FOR PARTIAL SUMMARY JUDGMENT

Comes now, *pro se* Plaintiff David Stebbins, who hereby submits the following Statement of Undisputed Facts in Support of his Motion for Partial Summary Judgment.

UNDISPUTED FACT NO. 1

The Defendants believe Plaintiff to be disabled. See **Exhibit A** (notice the section titled "VOCATIONAL IMPLICATIONS").

UNDISPUTED FACT NO. 2

Plaintiff has engaged in statutorily protected activities, and the Defendants know about them. See **Exhibit A** ("A search of public records revealed multiple lawsuits filed by Mr. Stebbins against his parents, Wal-Mart, the U of A, and federal judges. Causes of action were mainly civil rights and discrimination").

UNDISPUTED FACT NO. 3

The ARS provides vocational services to disabled persons. See **Doc. 16, Page 8** ("Plaintiff would not have been eligible to receive ARS services at all if he had not been an individual with a disability").

UNDISPUTED FACT NO. 4

Plaintiff applied for their services. See **Exhibit A** and **Exhibit B**.

NOTE: While the actual applications themselves are not attached (since I couldn't get them without a discovery and I prefer to file this motion and get this over with quickly), the application is necessarily inferred from the denial of services. After all, the Defendants cannot deny services to someone who has not even applied for them in the first place. That is just common sense.

UNDISPUTED FACT NO. 5

The Defendants rejected Plaintiff's request for services. See **Exhibit B**.

UNDISPUTED FACT NO. 6

This denial of services was based, at least in part, on Plaintiff's perceived disabilities and statutorily protected activities. See **Exhibit A** and **Exhibit B**.

UNDISPUTED FACT NO. 7

Even with the disabilities Plaintiff may or may not have, Plaintiff is still fully capable of making good grades in school. See **Exhibit C**; the arguments and facts contained in that letter are thereby incorporated by reference.

UNDISPUTED FACT NO. 8

The Defendants made no effort whatsoever to conduct an individualized inquiry into whether or not my symptoms would, in fact, interfere with my vocational efforts. See **Doc. 16, Page 9** ("these symptoms [on their own, without more] are illustrative of why Plaintiff could not ... succeed in the workforce").

UNDISPUTED FACT NO. 9

The Defendants made no effort whatsoever to consider whether any reasonable accommodations might allow me to be able to succeed in the workforce. See **Doc. 16, Page 9** ("these symptoms [on their own, without more] are illustrative of why Plaintiff could not ...

succeed in the workforce”).

UNDISPUTED FACT NO. 10

The Defendants believe they are above the law. See **Doc. 16, Page 8** (“and the determination of whether an individual is [qualified] is solely at the discretion of the ARS,” in other words, claiming exemption from federal judicial review ... aka above the law).

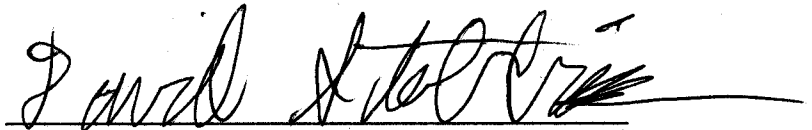
UNDISPUTED FACT NO. 11

Co-Defendant the State of Arkansas is largely responsible for me having the symptoms they are currently using as grounds to discriminate against me. See **Exhibit D**. This is a page from the same medical records stating that the “trigger” of my depression (and, by proxy, all acts caused by said depression) are the corruption in the government.

Please note: This is admissible under Federal Rule of Evidence #803(4) (Statement Made for Medical Diagnosis or Treatment”).

Wherefore, premises considered, Plaintiff requests that partial summary judgment, with appropriate injunctions, be issued in his favor, costs incurred be awarded, and any other relief that the court finds appropriate.

So requested on this, the 19th day of December, 2016.

A handwritten signature in black ink, appearing to read 'David Stebbins', is written over a horizontal line.

David Stebbins
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* Remember those three words, as they will become very crucial in Paragraph #52 of the Brief.